

B

B-2



NEWS

U.S. DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

FOR IMMEDIATE RELEASE

January 3, 2001

CONTACT: Marilyn Heiman

907-271-5485

Nedra Darling

202-208-3710

Assistant Secretary Gover Reaffirms Federal Trust Relationship for the King Salmon Tribe and Shoonag' Tribe of Kodiak in Alaska and the Lower Lake Rancheria in California

Action Corrects Oversight to Federally Recognized Tribes List

Assistant Secretary - Indian Affairs Kevin Gover has reaffirmed the federal trust relationship between the United States and the King Salmon Tribe and the Shoonag' Tribe in Alaska and the Lower Lake Rancheria in California after finding that their government-to-government relationship with the U.S. has never been severed. "The King Salmon Tribe, the Shoonag' Tribe of Kodiak, and the Lower Lake Rancheria have been officially overlooked for many years by the Bureau of Indian Affairs even though their government-to-government relationship with the United States was never terminated," Gover stated in his finding dated December 29, 2000, "I am pleased to correct this egregious oversight."

Due to administrative error, the BIA had for several years failed to place the three tribes on the list of federally recognized tribes it is required to publish annually in the Federal Register under the Federally Recognized Indian Tribes List Act (Pub. L. 103-454, 108 Stat. 4791, 4792). The list, entitled "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs," was last published on March 13, 2000.

The Assistant Secretary found that the King Salmon Tribe of Alaska has existed and maintained a continuous Indian community from historic times, and that present-day tribal members are descendants of a group that had been forced to leave an earlier homelands destroyed during an eruption of Mount Katmai.

The Assistant Secretary also found that the Shoonag' Tribe of Kodiak, Alaska, has maintained a continuous political organization since European contact, that the Council of the Shoonag' Tribe of Alaska has governed the historical Native community in and around the contemporary community of Kodiak, and that no other tribe has claimed the territory or the tribe's membership. Congress acknowledged Kodiak as an historic Native village possessing claims to aboriginal title in the Alaska Native Claims Settlement Act (ANCSA). In 1987, the Kodiak Tribal Council learned it had not been included on a list of federally recognized tribes published by the BIA in the Federal Register and requested the Secretary of the Interior to correct the list.

www.doi.gov/bia/news/tribesaffirm.htm

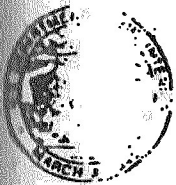
In the case of the Lower Lake Rancheria of California, the Assistant Secretary found that the tribe had not been made subject to the Rancheria Act (Pub. L. 85-671, 72 Stat. 619, as amended by Pub. L. 88-419, 78 Stat. 390), by which Congress terminated the federal government's trust responsibility for dozens of California tribes during the 1950s, and that its tribal status has been continuously maintained by tribal members to the present day.

With the Assistant Secretary's action the number of federally recognized tribes now stands at 561, which also includes two tribes recognized under H.R. 5528, the Omnibus Indian Advancement Act (Pub. L. 106-568, 114 Stat. 2868) signed by President Clinton on December 28, 2000. The Loyal Shawnee Tribe of Oklahoma, which since 1869 has been a culturally and linguistically separate entity within the Cherokee Nation of Oklahoma, was accorded federal recognition as an independent tribe. The Graton Rancheria of California, which had been terminated by the Rancheria Act, was restored to federal recognition status.

Contact information for the three reaffirmed tribes: The King Salmon Village Council, P.O. Box 68, King Salmon, Alaska 99613-0068, the Honorable Ralph Angasan, Sr., President; The Shoonag' Tribe of Kodiak, 713 East Rezanof Drive "B", Kodiak, Alaska 99615, the Honorable Kenneth Parker, Chairman; and The Lower Lake Rancheria, 131 Lincoln Street, Healdsburg, California 95448, the Honorable Daniel D. Beltran, Chairman.

For more information, contact Marilyn Heiman, Special Assistant to the Secretary for Alaska, U.S. Department of the Interior, at (907) 271-5485, fax: (907) 271-4102, or Nedra Darling, Director, Office of Public Affairs, Bureau of Indian Affairs, at (202) 208-3710, fax: (202) 501-1516.

-BIA-



United States Department of the Interior

OFFICE OF THE SECRETARY
Washington, D.C. 20240



MAR 22 1994

The Honorable Nicholas Villa, Jr.
Chief, Ione Band of Miwok
P.O. Box 1152
Ione, California 95640

Dear Mr. Villa,

I am writing regarding our meeting on October 28, 1993 and subsequent discussions with Congressman Doolittle. In that meeting I agreed to clarify the United States' political relationship of the Ione Band of Miwok, as well as Mr. Louis Bruce's 1972 letter regarding the tribe's political status and its historic land base.

Upon review of the matter, I am now reaffirming the portion of Commissioner Bruce's letter which reads:

The Secretary also recognizes that obtaining a tribal community land base for the Ione Band is a part of his policy of Indian self-determination and cultural identification. *** Federal recognition was evidently extended to the Ione Band of Indians at the time that the Ione land purchase was contemplated. *** As the Commissioner of Indian Affairs, I therefore, hereby agree to accept by relinquishment of title or gift the following described parcel of land to be held in trust for the Ione Band of Miwok Indians. (See Bruce letter attached)

As Assistant Secretary of Indian Affairs I hereby agree to accept the parcel of land designated in the Bruce letter to be held in trust as territory of the Tribe. As I stated during the October meeting, the Tribe will henceforth be included on the list of "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs," last published in the Federal Register on October 21, 1993.

I am hereby directing the Bureau of Indian Affairs and specifically the Sacramento Area Office to deal with the tribe accordingly. The Bureau will maintain contact with the tribe to address the relevant details. I extend my personal congratulations and look forward to working with you and your people.

Ada E. Deer

Ada E. Deer
Assistant Secretary - Indian Affairs



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

DEC 29 '06

Memorandum

To: Regional Director, Alaska Region
Regional Director, Pacific Region

Through: Deputy Commissioner of Indian Affairs

From: Assistant Secretary - Indian Affairs *[Signature]*

Subject: Reaffirmation of Federal Recognition of Indian Tribes

I have received information from you that the King Salmon Tribe, the Shoonaq' Tribe of Kodiak, and the Lower Lake Rancheria have been officially overlooked for many years by the Bureau of Indian Affairs ("Bureau" or "BIA") even though their government-to-government relationship with the United States was never terminated. I have been requested to review these cases and take action, if warranted.

At one time, each of these groups was recognized by the Bureau. However, for reasons not clearly understood, they were simply ignored as the BIA went through fundamental organization and philosophical changes following landmark legislation such as the 1934 Indian Reorganization Act and other federal policy shifts. It is an unfortunate part of the Bureau's legacy that I spoke of during our reconciliation event several months ago, and I am pleased today, and on behalf of the Department of the Interior and the BIA, to correct this egregious oversight.

The Indian tribes mentioned above should not be required to go through the Federal acknowledgment process outlined in the Federal Register at 25 CFR. Part 83 ("acknowledgment regulation") because their government-to-government relationship continued. The acknowledgment regulation does not apply to Indian tribes whose government-to-government relationship was never severed. Rather, the acknowledgment regulation provides a process for tribes to seek recognition when the tribe has yet to establish such a government-to-government relationship, when a previously existing government-to-government relationship has lapsed, or when the government-to-government relationship was terminated through an administrative process. Here, the Tribes were never administratively terminated nor were their relations with the United States broken. Instead, an administrative error by the Bureau of Indian Affairs occurred in the initial failure to place the tribes on the Federal Register list of entities recognized and eligible to receive services from the United States Bureau of Indian Affairs. The administrative oversight, having now been identified, must be corrected and the Tribes' rightful existence must now be reaffirmed.

With respect to the King Salmon Tribe, the Alaska Regional Director advises me that the King Salmon Tribe has provided documentation that supports its position that it has existed and maintained a continuous Indian community from historic times. In addition, these documents support my finding of a long-standing governmental relationship with the United States. In 1994, the Department re-established governmental relationships with 224 Alaska Native governments under similar circumstances. Documents supporting the King Salmon Tribe's request were forwarded by the Bristol Bay Native Association. The original village site of Old Savonoski was destroyed when a volcano, Mount Katmai, erupted and buried it. Members traveled downstream on the Naknek River from the original site and settled in King Salmon, New Savonoski, Naknek and South Naknek. Although scattered, the people of King Salmon did not abandon their traditional tribal identity. Ethnographic records confirm that the people of King Salmon today are descendants of the indigenous people from the King Salmon area.

The BIA's West Central Alaska Field Office and the Alaska Regional Office support the Tribe's request that their status be reaffirmed and authorized to conduct a Secretarial election under provisions of the Indian Reorganization Act, 25 U.S.Code Section 476. The Acting Director, Office of Tribal Services, also recommends that Federal recognition of the King Salmon Tribe be reaffirmed.

With respect to the Shoonaq' Tribe of Kodiak, the Alaska Regional Director advises me that the Shoonaq' Tribe has provided documentation that supports its position that it has maintained a continuous political organization since European contact. In addition, these documents support my finding of a long-standing relationship with the United States. As with King Salmon, the Department's 1994 re-establishment of governmental relationships with 224 Alaska Native governments was under similar circumstances.

Members of the Shoonaq' Tribe are descendants of a consortium of Koniagmiut from Kodiak Island (known to the Russians as St. Paul or St. Paul's Harbor) who settled in the locale of the contemporary city of Kodiak. The Council of the Shoonaq' Tribe of Kodiak governs the historical Native community in and around the contemporary community of Kodiak, Alaska. No other tribe claims this territory or membership. The Tribe has entered into numerous federal contracts through which it provides the same federally funded services and benefits to its members as are provided by other federally recognized tribes in Alaska. Congress acknowledged Kodiak as a historic Native village possessing claims to aboriginal title in the Alaska Native Claims Settlement Act (ANCSA). Consequently, Kodiak was declared eligible and received land and other benefits under ANCSA.

In 1987, the Kodiak Tribal Council, upon learning that they were not included in the Federal Register listing of federally recognized Indian tribes, requested that the Secretary of the Interior correct the list. By letter dated August 12, 1987, they submitted arguments that they had been federally recognized prior to 1931 and they should have been included in the Secretary's published list. In an August 25, 1987, letter the Anchorage Agency Superintendent, after reviewing the matter, concurred with the Tribe's request and recommended that the Shoonaq'

Tribe be reaffirmed and added to the Federal Register listing. Today, the West Central Alaska Field Office and the Alaska Regional Office, as well as the Acting Director, Office of Tribal Services, recommend that the Shoonaq' Tribe of Kodiak be included on the list of federally recognized Indian tribes.

With respect to the Lower Lake Rancheria, the documentation shows that it should be treated differently than other California tribes that were terminated during the termination era. The California Indian tribes considered terminated during this era were those subject to the terms of Pub. L. 85-671, 72 Stat. 619, as amended by Pub. L. 88-419, 78 Stat. 390, commonly referred to as the Rancheria Act. The Rancheria Act specifically provided, in §10b, that when assets were accepted, the affected tribe was terminated. In contrast, the Lower Lake Rancheria lost its land pursuant to the Lower Lake Act, Pub. L. 84-443, 70 Stat. 58, as amended by Pub. L. 84-751, 70 Stat. 595, which sold its land for the purpose of establishing a local airport. This Act predated the Rancheria Act and did not contain a provision to cause the loss of an Indian's legal status as an Indian as a result of his (or her) acceptance of any of the assets of the Lower Lake Rancheria. Thus, the Lower Lake Act did not terminate the Lower Lake Rancheria.

The Lower Lake Rancheria's tribal status has been continuously maintained by the tribal members. The Lower Lake Rancheria successfully obtained funding from the Administration of Native Americans, U. S. Department of Health and Human Services, to strengthen their tribal government structure. Both the BIA's Agency Superintendent, Central California Agency, and the Regional Director, Pacific Region, as well as the Acting Director, Office of Tribal Services, recommend administrative reaffirmation of the status of the Lower Lake Rancheria.

Therefore, by action today, I am reaffirming formal recognition of the following Indian tribes:

King Salmon Tribe in Alaska;

Shoonaq' Tribe of Kodiak in Alaska; and

Lower Lake Rancheria in California

The Federal recognition of the Tribes and the trust relationship between the United States and the Indian Tribes are hereby reaffirmed, subject to further discussion and negotiation between the tribes and the BIA with respect to respective tribal membership lists, if necessary. All laws and rules of law of the United States of general application to Indians, Indian tribes, or Indian reservations which are not inconsistent with the 1934 Indian Reorganization Act, the Rancheria Act, or the 1971 Alaska Native Claims Settlement Act, as amended, shall apply to the respective Alaskan tribes and Lower Lake Rancheria, and their respective members. Each of the Tribes listed above is recognized as an independent tribal governmental entity, separate from any other nation, band, village, rancheria or Indian tribe.

By this memorandum, I am directing that the Bureau of Indian Affairs, specifically the Alaska Region, and Pacific Region officials deal with the respective tribes accordingly. Further, I direct that the Office of Tribal Services include the Tribes mentioned above in the "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs," a

list published in the **Federal Register** most recently on March 13, 2000 (Vol. 65, No. 49), pp. 13298-13303, pursuant to Section 104 of the Act of November 2, 1994, Pub. L. 103-454, 108 Stat. 4791, 4792.

The Bureau of Indian Affairs will maintain contact with the respective tribes to address the relevant details in maintaining a government-to-government relationship in accordance with Executive Orders 13084 and 13175 as well as the Executive Memorandum of April 29, 1994, on Government-To-Government Relations with Native American Tribal Governments.

Please contact the Director, Office of Tribal Services, at (202) 208-3463, if you have any questions regarding this matter.

cc: Office of the Special Trustee
Office of American Indian Trust
Director, Office of Indian Education Programs
Director, Office of Trust Responsibility



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

DEC 29

Honorable Daniel D. Beltran
Chairman, Lower Lake Rancheria
131 Lincoln Street
Healdsburg, California 95448

Dear Chairman Beltran:

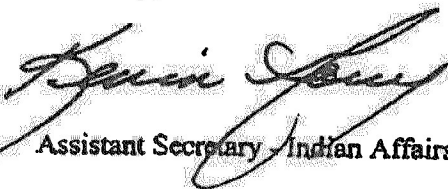
I am writing to follow up on your meeting with members of my staff on October 1999, regarding official reaffirmation of the special relationship between the United States and the Lower Lake Rancheria of California.

Upon careful review of the matter of the long-standing and unfortunate omission of the Lower Lake Rancheria from recognition and services by the Bureau of Indian Affairs (BIA) following the adoption of the Indian Reorganization Act of 1934, as amended, 25 U.S. Code §463 et seq., the Lower Lake Act, and the Rancheria Act, and having been advised in the premises by the Office of Tribal Services, BIA, as well as the BIA Pacific Regional Director and Central California Agency Superintendent, that a reaffirmation of recognition would be prudent and proper, by this letter and on behalf of the United States Department of the Interior and BIA, I am hereby reaffirming the Federal recognition of the Lower Lake Rancheria.

Henceforth, the Lower Lake Rancheria will be included on the list of "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs," last published in the Federal Register, Vol 65, No. 49, pp. 13298-13303, on March 13, 2000.

By copy of this letter, I am directing the BIA and specifically the Pacific Regional Office in Sacramento, California, to take appropriate action to deal with the Lower Lake Rancheria in accordance with this action today. The BIA will maintain contact with the Rancheria to address relevant matters pertaining to the government-to-government relationship and coordination between the Band and the BIA. On behalf of Secretary Babbitt, let me be among the first among many to extend my personal congratulations to you and other hardworking, dedicated members of your staff for your patience and perseverance. We look forward to working with you and the people of the Lower Lake Rancheria.

Sincerely,


Assistant Secretary - Indian Affairs

cc: Director, Office of American Indian Trust
Regional Director, Pacific Region
Office of the Special Trustee
Director, Office of Indian Education Programs



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

DEC 29 2000

Honorable Kenneth Parker
Chairman, Shoonaq' Tribe of Kodiak
713 East Rezanof Drive "B"
Kodiak, Alaska 99615

Dear Chairman Parker:

I am writing to follow up on the request of your organization, as well as the Bureau of Indian Affairs (BIA) Anchorage Agency and Alaska Regional Office regarding official reaffirmation of the special relationship between the United States and the Shoonaq' Tribe of Kodiak located in Alaska.

Upon careful review of the matter of the long-standing and unfortunate omission of the Shoonaq' Tribe from recognition and services by the BIA following the adoption of the Indian Reorganization Act of 1934, as amended, and having been advised in the premises by the Office of Tribal Services, the West-Central Alaska Field Office, and the Regional Office in Juneau, BIA, that a reaffirmation of recognition would be prudent and proper, by this letter and on behalf of the United States Department of the Interior and BIA, I am hereby reaffirming the Federal recognition of the Shoonaq' Tribe of Kodiak.

Henceforth, the Shoonaq' Tribe of Kodiak will be included on the list of "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs," last published in the Federal Register, Vol 65, No. 49, pp. 13298-13303, on March 13, 2000.

By copy of this letter, I am directing the BIA and specifically the Alaska Regional Office in Juneau to take appropriate action to deal with the Tribe in accordance with this action today. The BIA will maintain contact with the Tribe to address relevant matters pertaining to the government-to-government relationship and coordination between the Tribe and the BIA. On behalf of Secretary Babbitt, let me be among the first among many to extend my personal congratulations to you and other hardworking, dedicated members of your staff for your patience and perseverance. We look forward to working with you and the people of your Tribe.

Sincerely,

Assistant Secretary - Indian Affairs

cc: Office of the Special Trustee
Director, Office of American Indian Trust
Regional Director, Alaska Region
Director, Office of Indian Education Programs



United States Department of the Interior

OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20240

Honorable Ralph Angasan, Sr.
President, King Salmon Village Council
P. O. Box 68
King Salmon, Alaska 99613-0068

DEC 29 2000

Dear President Angasan, Sr.:

I am writing to follow up on the request of your organization, the Bristol Bay Native Association, as well as the Bureau of Indian Affairs (BIA) Anchorage Agency and Alaska Regional Office regarding official reaffirmation of the special relationship between the United States and the King Salmon Tribe located in Alaska.

Upon careful review of the matter of the long-standing and unfortunate omission of the King Salmon Tribe from recognition and services by the BIA following the adoption of the Indian Reorganization Act of 1934, as amended, and having been advised in the premises by the Office of Tribal Services, the West-Central Alaska Field Office, and the Regional Office in Juneau, BIA, that a reaffirmation of recognition would be prudent and proper, by this letter and on behalf of the United States Department of the Interior and BIA, I am hereby reaffirming the Federal recognition of the King Salmon Tribe of Indians.

Henceforth, the King Salmon Tribe will be included on the list of "Indian Entities Recognized and Eligible to Receive Services from the United States Bureau of Indian Affairs," last published in the Federal Register, Vol 65, No. 49, pp. 13298-13303, on March 13, 2000.

By copy of this letter, I am directing the BIA and specifically the Alaska Regional Office in Juneau to take appropriate action to deal with the King Salmon Tribe in accordance with this action today. The BIA will maintain contact with the King Salmon Tribe to address relevant matters pertaining to the government-to-government relationship and coordination between the King Salmon Tribe and the BIA. On behalf of Secretary Babbitt, let me be among the first among many to extend my personal congratulations to you and other hardworking, dedicated members of your staff for your patience and perseverance. We look forward to working with you and the people of your Tribe.

Sincerely,

Assistant Secretary - Indian Affairs

cc: Office of the Special Trustee
Director, Office of American Indian Trust
Regional Director, Alaska Region
Director, Office of Indian Education Programs